



SUPERINTENDENT OF PUBLIC INSTRUCTION

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May 22, 2013

(X) Action Required
Due Date: July 1, 2013
(X) Informational

BULLETIN NO. 016-13 Title I/LAP and Consolidated Program Review

TO: Educational Service District Superintendents
School District Superintendents
School Building Principals
School District Public Relations Professionals

FROM: Randy I. Dorn, State Superintendent of Public Instruction

RE: Highly Capable Program Requirements for All Districts

CONTACT: Gayle Pauley, Director of Title I/LAP and Consolidated Program Review
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Purpose

The 2013–14 school year will be a transition year for all districts to develop a plan for serving highly capable students in Grades K–12. Beginning with the 2014–15 school year, all districts are required to provide highly capable programs and services for students in Grades K–12.

In the Revised Code of Washington (RCW) under Chapter 28A.185 RCW, the Legislature determined that “for highly capable students, access to accelerated learning and enhanced instruction is access to a basic education.” To reflect legislative changes in Chapter 28A.185 RCW, the Washington Administrative Code (WAC) Chapter 392-170 has been revised. Chapter 392-170 WAC addresses the requirements for all districts to provide basic education services that meet the educational needs of the district’s “most highly capable students.” Technical corrections and formatting changes have been made and sections have been repealed that are no longer applicable under Chapter 28A.185 RCW.

Changes were made to reflect that highly capable programs and services are for highly capable students in Grades K–12 and that all districts must develop and implement an annual highly capable program plan. Each school district’s annual plan must include the number of K–12 students the district expects to serve by grade level, identification procedures, program goals, program services offered, instructional program provided, professional development plan for educators, program evaluation, fiscal report, and signed assurances. (There are condensed requirements for districts classified as second-class based on a pupil count of less than 2000.)

Effective Date

The effective date of the amendments to Chapter 392-170 WAC is April 12, 2013, and the changes are applicable to the school district fiscal year beginning September 1, 2013.

Changes to Chapter 392-170 WAC: Special Service Program—Highly Capable Students

Districts will have a plan for identifying and serving highly capable students Grades K–12 (WAC 392-170-005).

Districts will establish policies and procedures for the administration of programs for the education of K–12 students who are highly capable (WAC 392-170-010).

Districts may access basic education funds, in addition to highly capable categorical funds, to provide appropriate highly capable student programs (WAC 392-170-012).

Districts are required to submit to the Office of Superintendent of Public Instruction (OSPI) an annual plan for the district's Highly Capable Program (HCP) (WAC 392-170-020). The district's annual plan must be annually approved by formal action of the district's board of directors (WAC 392-170-025). The content of the annual plan for the HCP was amended (WAC 392-170-030) to reduce the paperwork burden for second-class school districts, the assurances and budget pages of the form package will serve as the district's annual plan.

Definitions of students who are highly capable, learning characteristics, and special teachers were amended (WAC 392-170-035, WAC 392-170-036, and WAC 392-170-038).

Districts must make an annual public notification of parents and students before any major identification activity. Clarification was provided for notice requirements (WAC 392-170-042).

Districts must have clearly-defined written nomination, screening, assessment, and selection system procedures in place that use multiple objective criteria for identification of students who are among the most highly capable (WAC 392-170-045, WAC 392-170-055, and WAC 392-170-075). Nondiscrimination in the use of tests was amended for clarity (WAC 392-170-060).

Districts must use the multidisciplinary selection committee for the final selection. Amendments were made to WAC 392-170-070 for clarification on multidisciplinary selection committee composition.

Districts must obtain written parent/legal guardian permission before testing students to determine eligibility for participation in the HCP and placement of selected students in the district HCP before special services and programs are started. An explanation of the procedures to exit a student from the program was added to the existing parental permission notice requirements (WAC 392-170-047).

Districts must adopt and disseminate to the public a process for appeal of the multidisciplinary selection committee's decision (WAC 392-170-076).

Districts must make a variety of appropriate program services available to students who participate in the district's HCP. Districts must provide a continuum of services to the students from K–12. Districts must review services for each student to ensure that the services are appropriate. Districts are no longer required to have educational program plans for each identified highly capable student or plans for a group of students with similar academic abilities (WAC 392-170-078).

Districts will keep on file a description of the educational programs provided for students selected (WAC 392-170-080).

Districts are required to submit to OSPI an end-of-year report at the close of each fiscal year. The content of the end-of-year report was amended (WAC 392-170-090). To reduce the paperwork burden on school districts, student demographic data will be prepopulated with student information districts provide to CEDARS.

The following sections of the WAC were repealed:

- WAC 392-170-015 Local Option.
- WAC 392-170-037 Definition—Program options.
- WAC 392-170-040 Multiple criteria for determination of superior intellectual ability—Definitions.
- WAC 392-170-050 Screening of nominees.
- WAC 392-170-065 Nondiscrimination in the review of testing results.
- WAC 392-170-085 Notification of parents.

Action Required

All districts must complete and submit iGrants form package 217—Highly Capable Program Assurances, Annual Plan, and Budget. The district's annual plan must be approved by formal action of the district's board of directors. The form package must be submitted to OSPI by July 1, 2013.

- In subsequent years, districts will update the plan annually if changes are made. If no changes are made, the district will certify that the plan is accurate and that there will be no significant changes made to the plan.
- In an effort to reduce the paperwork burden for second-class school districts, the assurance and budget pages of the form package will serve as the district's annual plan.

Each district is required to assign the appropriate gifted value(s) to HCP students in the district's student information system, which uploads to CEDARS. Districts must check the data uploaded to CEDARS for value assignment accuracy and make corrections as needed.

Each district is required to complete and submit iGrants form package 250 End-of-Year Report at the close of each year.

To reduce the paperwork burden, student demographic data will be prepopulated with student information districts provide to CEDARS.

Each district's program for highly capable students will be monitored for program compliance on a five-year rotation (WAC 392-170-087) as part of the Consolidated Program Review (CPR), pursuant to RCW 28A.185.050 Program review and monitoring—Reports to the Legislature—Rules.

Training Opportunity

To help districts understand the WAC changes, OSPI has posted an informational webinar on the changes to Chapter 392-170 WAC on the Highly Capable Program Web page at <http://www.k12.wa.us/HighlyCapable/default.aspx>. Districts are encouraged to share this information with administrators, teachers, counselors, legal counsel, board members, and any other professional who would benefit from viewing the informational session.

Questions

Information about the rules change process for Chapter 392-170 WAC is available at <http://k12.wa.us/HighlyCapable/Amend.aspx>.

If you have questions regarding this bulletin, please contact Gayle Pauley, Director of Title I/LAP and Consolidated Program Review, at (360) 725-6100 or email gayle.pauley@k12.wa.us. You may also contact Kristina Johnstone, Highly Capable Program Supervisor, at (360) 725-4991 or email kristina.johnstone@k12.wa.us. The agency TTY number is (360) 664-3631.

K–12 EDUCATION

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Bob Harmon
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RD:GP:kj

Attachment A—Amended Chapter 392-170 WAC

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